

**MINUTES**  
**PROTECTION & WELFARE COMMITTEE**  
**Monday, June 6, 2016**  
**City Hall, Room 207**  
**5:00 p.m.**

**MEMBERS PRESENT:** Ald. Dorff, Ald. Galvin, Ald. Scannell,  
Ald. Zima (arrived at 5:30 p.m.)  
**MEMBERS EXCUSED:** None  
**MEMBERS ABSENT:** None  
**OTHERS PRESENT:** Asst. City Atty Kristen Bohnert & City Atty. Vanessa Chavez  
Captain Keith Knoebel/Chief Andrew Smith-Police Dept.  
Ald. Tom DeWane, Andy Nicholson, David Nennig  
Other interested parties.

1. Roll Call.  
The meeting was called to order by Chairman Scannell at 5 p.m.
2. Approval of the Agenda.  
Agenda items were taken out of order, although shown in proper format here.

Moved by Ald. Dorff, seconded by Ald. Galvin to approve the agenda as modified. Motion carried.

3. Approval of the minutes from the May 9, 2016 meeting.  
Moved by Ald. Dorff, seconded by Ald. Galvin to approve the minutes from the May 9, 2016 meeting. Motion carried.

*(#8 taken next on the agenda)*

Chairman Scannell announced that all actions taken at this meeting will go before the City Council for final action.

4. Request by the owners of Karen's Pub, 324 N. Roosevelt Street, to hold an outdoor event on July 16.

Neither the City Attorney's Office nor the Police Department had objection to this request.

Moved by Ald. Dorff, seconded by Ald. Galvin to approve the request by the owners of Karen's Pub, 324 N. Roosevelt Street, to hold an outdoor event on July 16 subject to complaint. Motion carried. (Note made that Ald. Zima left the room momentarily)

5. Change of Agent for LVP SHS Green Bay Holding Corp. at 1011 Tony Canadeo Run.

No objection from the City Attorney's Office nor the Police Department.

Moved by Ald. Galvin, seconded by Ald. Dorff to approve the Change of Agent for LVP SHS Green Bay Holding Corp at 1011 Tony Canadeo Run.  
Motion carried.

6. Change of Agent and renewal application for a “Class B” Combination License by Green Bay Lodging II, LLC, at 850 Kepler Drive.

No objections from either the Law or Police Departments.

Moved by Ald. Dorff, seconded by Ald. Galvin to approve the Change of Agent and renewal application for a “Class B” Combination License by Green Bay Lodging II, LLC, at 850 Kepler Drive with the approval of the proper authorities.  
Motion carried.

*(#13 taken next on the agenda)*

7. Change of Agent and renewal application for a “Class B” Combination License by Baker MacArthur, Inc. at 1405 N. Webster Avenue.

No objections from the City Attorney’s Office nor the Police Department.

Moved by Ald. Galvin, seconded by Ald. Dorff to approve the Change of Agent and renewal application for a “Class B” Combination License by Baker MacArthur, Inc. at 1405 N. Webster Avenue with the approval of the proper authorities. Motion carried.

8. Change of Agent and Renewal Application for a “Class B” Combination License by Confetti’s Inc. at 217 E. Walnut Street.

No objections were made by the Legal Department to the change of agent, although it was reported there are two citations pending which will come to trial later this month, one related to violation of a license stipulation. At this time approval is recommended by both the Law Department and the Police Department.

Moved by Ald. Dorff, seconded by Ald. Zima to approve the Change of Agent and Renewal Application for a “Class B” Combination License by Confetti’s Inc. at 217 E. Walnut Street with the approval of the proper authorities. Motion carried.

*(Back to #6 on the agenda)*

9. Renewal Application for a “Class B” Combination License by Nic’s II, LLC, at 1657 Main Street.

City Attorney’s Office recommends approval of the renewal based on a stipulation that the license be suspended for 2 days (48 hours) starting 6/25 and ending 6/26. Any additional violations will result in a 30 day suspension. Police Department concurs with this recommendation.

Moved by Ald. Zima, seconded by Ald. Dorff to approve the Renewal Application for a "Class B" Combination License by Nic's II, LLC, at 1657 Main Street with the approval of the proper authorities. Motion carried.

10. Application for a "Class A" Liquor and Class "A" Beverage License by CCB Beverages, LLC, at 1215 E. Mason Street. (Currently Kwik Trip)

No objection from either the City Attorney's Office nor the Police Department.

Ald. Scannell asked if Kwik Trip would still be the operator or if this would change to Herley Beverage. He stated he was confused regarding location.

Motion made by Ald. Dorff, seconded by Ald. Galvin to open the floor for interested parties to speak. Motion carried.

Josh Heraly, 391 Tommary Trail, Sobieski -  
Explained the location, noting this business would be operated as a liquor store. It was previously a tobacco location called Kwik Trip.

Motion made by Ald. Dorff, seconded by Ald. Galvin to return to regular order of business. Motion carried.

Ald. Galvin expressed concern with approval of a liquor store without consulting the Neighborhood Association. It was confirmed this is a new business in the previous location of Kwik Trip, a tobacco store that sold beer only.

Definitions of Class A Liquor and Class A Beverage licenses were discussed with the suggestion that the present beer license be approved, bringing the liquor license application back.

Moved and seconded to suspend the rules to allow interested parties to speak. Motion carried.

Josh Heraly -  
Opined that having only a beer license with no liquor license will not allow the business to survive. His family has operated Herley Liquor for 20 years with no issues.

Ald. Galvin stated that as this is his district feels that it is only due diligence that the Neighborhood Association be advised of this business.

Discussion of scheduling a special meeting to further discuss this item resulted in the consensus to hold a meeting on June 16, 2016 at 4:30 p.m. The neighborhood will be notified of this meeting.

Moved by Ald. Zima, seconded by Ald. Galvin to hold until special meeting on 6/16/2016 at 4:30 p.m. to further discuss the Application for a "Class A" Liquor and Class "A" Beverage License by CCB Beverages, LLC, at 1215 E. Mason Street. (Currently Kwik Trip). Motion carried.

11. Original and Renewal Application by BP Oklahoma, LLC, for a Class "A" Beverage License at 1020 N. Irwin Avenue.

No objections from the City Attorney's Office nor the Police Department.

Ald. Galvin asked if this is a neighborhood grocery store.

Moved by Ald. Dorff, seconded by Ald. Galvin to open the floor to allow interested parties to speak. Motion carried.

Maqbool Muhammad, Greenfield, WI

Stated he is the new operator/owner of this establishment. He is presently remodeling the building. When asked the percentage of sales that will relate to alcohol, he estimated 20 to 25%. He will sell convenience store items, groceries, etc.

Moved by Ald. Dorff, seconded by Ald. Galvin to return to regular order of business. Motion carried.

Moved by Ald. Dorff, seconded by Ald. Galvin to approve the original and renewal application by BP Oklahoma, LLC, for a Class "A" Beverage License at 1020 N. Irwin Avenue with the approval of the proper authorities. Motion carried.

12. Application for a Class "B" Beverage License by Om Jak Main Wings, Inc. at 1980 Main Street.

No objections from the City Attorney's Office, nor the police Department.

Moved by Ald. Galvin, seconded by Ald. Dorff to approve the application for a Class "B" Beverage License by Om Jak Main Wings, Inc. at 1980 Main Street with the approval of the proper authorities. Motion carried.

13. Application for a "Class B" Combination License by El Jaripeo Green Bay, LLC, at 850 Kepler Drive.

No objections from the City Attorney's Office, nor the Police Department.

Ald. Zima noted that both businesses, Green Bay Lodging II, LLC (#6) and El Jaripeo, Green Bay, LLC, are located at 850 Kepler Drive. Ald. DeWane explained they are two separate businesses, although located at the same address.

Moved by Ald. Galvin, seconded by Ald. Dorff to approve the application for a "Class B" Combination License by El Jaripeo Green Bay, LLC, at 850 Kepler Drive with the approval of the proper authorities. Motion carried.

*(Item #21 taken next on the agenda)*

14. Application for an available "Class B" Combination License by Wirz Industries, LLC at 131 S. Washington Street.

No objection from the City Attorney's Office who explained this is the former Al's Hamburger Shop. They have a business security plan in place. No objection from the Police Department either.

Motion made by Ald. Galvin, seconded by Ald. Dorff to approve the application for an available "Class B" Combination License by Wirz Industries, LLC at 131 S. Washington Street with the approval of the proper authorities. Motion carried.

15. Application for a Class "A" Beverage License by Singhs C Store 1, Inc., at 601 E. Walnut Street.

No objection from the City Attorney's Office, nor from the Police Department.

Moved by Ald. Dorff, seconded by Ald. Galvin to approve the application for a Class "A" Beverage License by Singhs C Store 1, Inc., at 601 E. Walnut Street with the approval of the proper authorities.  
Motion carried.

16. Application for a Class "A" Beverage License by Singhs C Store 2, Inc. at 954 W. Mason Street.

No objection from the City Attorney's Office, nor from the Police Department.

Moved by Ald. Dorff, seconded by Ald. Galvin to approve application for a Class "A" Beverage License by Singhs C Store 2, Inc. at 954 W. Mason Street with the approval of the proper authorities.  
Motion carried.

17. Appeal by Caleb Wiegert to the denial of his Operator License Application.

City Attorney's office recommended denial based on past criminal record. The Police Department also recommended denial for the same reasons, noting there is a felony on record.

Moved by Ald. Galvin, seconded by Ald. Dorff to open the floor to allow interested parties to speak. Motion carried.

Caleb Wiegert – 1621 Webster Heights

Mr. Wiegert stated that any criminal record is at least 4 years old. He has completed all required tasks, did his time and probation, and is presently working 40 hours a week. He would like the Assistant Manager position as he has a child on the way and is confident he will continue to stay out of trouble.

Ald. Dorff questioned past battery and obstructing an officer charges, and Mr. Wiegert explained that both incidents were not due to alcohol use.

When asked regarding revocation of probation, Mr. Wiegert stated that he failed to report to his probation officer. He feels he has learned his lesson. He indicated that incident had nothing to do with alcohol use.

Concerns were expressed regarding the charges, pointing out it appears Mr. Wiegert has a history of not following rules and was asked whether he would revert and sell to minors. Mr. Wiegert stated that all customers are carded and that he needs the job. He stated he cannot afford to break the rules. Mr. Wiegert explained that when he received the battery charge, he was just 18. He realizes it was a major mistake. He stated he did not report to the probation officer, again because of immaturity and that he was unsure just how the system worked.

Ald. Galvin disputed this, pointing out that Mr. Wiegert was convicted of battery in 2012 and that his probation was revoked in 2016 – a significant period of time later. Wiegert was unsure of the exact year.

When asked about the obstructing an officer charge, Wiegert stated he gave the officer a fake name, stating that he otherwise cooperated with him.

Ald. Galvin summarized that Mr. Wiegert has a history of being untruthful with officers and not following rules. Wiegert indicated that he turned himself in when his probation was revoked. He thanked the committee for their time to listen to him.

Moved by Ald. Galvin, seconded by Ald. Dorff to return to regular order of business. Motion carried.

Chairman Scannell explained to Mr. Wiegert that State Law requires that anyone with a felony cannot have an operator license, although there is some “wiggle room” as it pertains to the license if there is a length of time without problems. He stated that the committee needs to be comfortable with the law with regard to their decision.

Ald. Dorff stated she was in favor of granting Mr. Wiegert another chance stating he has had some time to reflect what he has done, he has a child on the way, he needs this job, understands that carding is required. She feels he has grown up from the 18 year old he was in 2012.

Ald. Galvin appreciates that Mr. Wiegert has served his time, has a child on the way and has turned things around, however, when looking at the timeframe and that he was not in an altered state when he obstructed an officer is a concern. He noted that the committee does not have details of the incidents to know that Mr. Wiegert is truthful. At this time he is not in favor of granting the appeal and suggests that Mr. Wiegert return at a future time for a further review.

Ald. Scannell stated this is a difficult situation, noting the committee is required to support the law. He indicated it would have been helpful if Mr. Wiegert had provided letters of recommendation from his boss or probation officer. Wiegert indicated he would be willing to contact his manager. Ald. Scannell reminded Mr. Wiegert that a final decision will be made by the City Council at their meeting on

June 21<sup>st</sup>. He urged that Mr. Wiegert provide letters of support at that time or bring people who can speak in support of his case.

Moved by Ald. Galvin, seconded by Ald. Scannell to deny the appeal by Caleb Wiegert for his Operator License Application.

Ayes: Galvin, Scannell, Zima

Nays: Dorff

Motion to deny carried.

*(Item #19 next on the agenda)*

18. Proposal by Tom Hoy for a short-term solution for those families that have lead service lines.

Moved by Ald. Dorff, seconded by Ald. Gavin to open the floor to allow interested parties to speak. Motion carried.

Tom Hoy – 1120 Cass, Green Bay

Mr. Hoy provided updated information related to this issue, stating that it started out with a letter from the city advising him that he had lead service coming to his home. He was advised to send in a water sample for testing. The results of that test showed that he had 7 parts per billion per day. Along with this information, he was cautioned about the impact of lead to his system and that of his family. Mr. Hoy has been in his home since 1979. At a meeting of the City Water Commission he was presented a map showing the homes with lead service. Mr. Hoy lives in a downstairs unit and his elderly mother lives upstairs. She did not receive a notice.

Mr. Hoy stated that he made phone calls, found a related web site, and followed-up with the development of a project plan. He found a faucet and filter that will last approximately 3 months. This filter will take out 99% of the lead in a home water system and is available at Home Depot. Home Depot has offered to make a presentation on this technology.

Mr. Hoy stated he was hoping there would be money from the Stadium Tax Refund to be used for this purpose. The Water Department also may be a viable source for funding. Mr. Hoy suggests dollars be allocated for a limited contract employee to serve as a project manager. He also suggested that agencies such as United Way or the Red Cross be asked to provide filters to home owners for one year. Mr. Hoy suggested that these filters be made available for pick-up at the Water Department, the City Hall, Fire Stations so that there would be less overhead. He also suggests an application in order to track who has been given filters.

Mr. Hoy opined this idea would be a pinpoint solution to a source point problem. He suspects there will be some resistance due to the chance of bacteria if filters are not changed on a regular basis. Mr. Hoy feels it is the responsibility of the individual to step up if the city is willing to provide filters. If the resident chooses not to take advantage, it becomes their problem. He has spoken with Senator

Hansen and other state representatives who are interested in his ideas, however, suggest there may be a conflict in other areas of the state.

Mr. Hoy addressed a notification process, pointing out that only the land/home owner was notified. Some renters do not have an owner on site and some are two family residences. If the resident is not on social media, or get a newspaper, they may not be aware of this threat. Mr. Hoy suggests a PR firm may be helpful in making a better impression of notification.

Ald. Dorff noted that present testing showed the water in Mr. Hoy's residence to be 7 parts to a billion, asking the threshold. Mr. Hoy responded that 15 parts per billion is the threshold set by the government.

Nancy Quirk - General Manager, Green Bay Water Utility

Stated that although she is impressed with the ideas brought forward by Mr. Hoy and what effect lead can have on the society, Green Bay is currently in compliance, having done additional flushing the last two years which decreased the lead levels. She reported that Brown County Health has investigated children with lead poisoning and none were attributed to lead in the water, but instead to lead in paint.

Although Manager Quirk stated she would not disallow filters, the Utility follows federal guidelines for water quality, noting that Green Bay has very good water. She stated that the department is involved in an aggressive replacement schedule in homes with lead pipes and expects this to be complete over the next 5 to 6 years.

It was clarified that there have been 1700 parcels identified where lead is coming from the City into the property. Once all have been identified, there is plan to replace water systems to those properties.

Ms. Quirk noted that filter systems can provide bacteria and form mold if not regularly changed, noting it has happened to her. She is concerned there may be more health issues if people do not change the filters than they are getting from the lead in the water. She noted that people use water at different levels and handle lead differently. She noted that in Flint Michigan they found 13,000 parts per billion compared to the 7 parts here. Ms. Quirk stated that if property owners want to get a filter, that is fine, but she is not comfortable with the City assuming liability if it is not regularly changed.

Ald. Galvin opined this is a question for the legal department asking if Ms. Quirk would be comfortable if the City was not liable. She replied that public health is the first concern, that those residents using filters would have to sign off so that the City was not liable if filters were not changed regularly. He reiterated that Ms. Quirk's opinion is that lead levels are within an acceptable level in the City and not a health risk, although issuing filters could result in a health risk. Ms. Quirk agreed with this comment. She also noted that lead results from water sitting in pipes, recommending that water be run for two minutes to alleviate this.



Tom Hoy pointed out that it was FEMA who went door to door advising residents of a potential health hazard resulting from lead in the water. In addition, he noted the last estimate for replacing lead pipes was \$6.5 million. He asked why the City would spend that if lead is not an issue. Mr. Hoy requested the matter be referred to the City Council. He agreed to have Home Depot make a presentation, stating he would also have commitments from area agencies to assist with funding.

Ald. Scannell asked why Mr. Hoy would not agree to run his tap water for two minutes. Mr. Hoy replied he did not feel this was realistic asking how many gallons run in 2 minutes. He expects pure water for the cost he is paying. He clarified that testing was done after letting water sit for 6 hours. He confirmed that he feels that 7 parts lead per billion is too high.

Ald. Galvin asked if there are acceptable levels of lead the body can handle without ill effects and whether Mr. Hoy had been tested for lead in his body. Mr. Hoy stated he has lived in his home since 1979 and is nearing 70 years old. He does have high blood pressure and his cat died of kidney failure.

Moved by Ald. Dorff, seconded by Ald. Galvin to close the floor and return to regular order of business. Motion carried.

Additional discussion related to the 5 to 6 year plan of the Water Utility, whether residents will run water for 2 minutes, liability to the City, whether to do a better job of marketing to those who are not the property owner, etc. resulting in the question of where to go from here. It was reiterated that the report of the Health Department resulted in a statement that lead poisoning in children came from paint, not water. The Water Utility continues to work on many of these issues.

Although impressed with the research Mr. Hoy has done, Ald. Scannell stated there may be other ways to use tax dollars, that this issue may be resolved in another way.

Ald. Dorff also stated she was impressed with the effort made by Mr. Hoy, however, feels there are other options to solve this issue.

Ald. Galvin also thanked Mr. Hoy for his time and effort for the information supplied, stating he could not support at this time.

Moved by Ald. Dorff, seconded by Ald. Galvin to receive and place on file the proposal by Tom Hoy for a short-term solution for those families that have lead service lines. Motion carried.

*(Move to # 23 on the agenda)*

19. Request by Ald. Zima that the City consider prohibiting the sale of single cans or bottles of beer and single small bottles of alcohol from convenience stores and liquor stores.

Ald. Zima noted that this item was referred to the Police Department for their input and recommendation. Chief Andrew Smith stated that he and staff met with a number of people to get their input on the sale of single servings of beer and alcohol from convenience stores. They included the OWI Task Force, Neighborhood Watch Groups, retired police personnel, community members, convenience store owners and distributors, representatives from the Tavern Association and with communities who have prohibited such sales.

Chief Smith reported that Arlington Heights, Illinois prohibited single sales for more than one year and found it to work well. Washington D.C., however, found a way around the ban by binding two cans or bottles together. Research has found two issues, one being littering, and the other public intoxication. It was reported there were 101 citations in 2015, 79 in the downtown area; 16 written warnings, 13 in the downtown area. A map of the area in question was distributed showing that in addition to citations in the down area, some are in parks, one being 14 arrests at Jackson & Main Street.

Smith reported that in 1996 a no serve list was developed instead of a ban. This list was distributed to area liquor stores showing pictures and initials. Today there are 34 on this list. Business owners have been cooperative and many business plans require that they concur with the list. It is updated two times a year and distributed in January and July. To get on the list an individual must have three incidents of public intoxication, or alcohol related problems within one year. To get off the list, the individual must be arrest free for one year.

Chief Smith noted that statistics show a problem in the downtown area, both on the east and west sides of the river, with little issues in outlying areas. From a public safety standpoint, Smith does not find it necessary for a city wide single serve ban, however, if the council decides to enforce a ban, he would suggest it be in a small area based on call history.

Related to the issue of public intoxication, Chief Smith stated that within the next 3 to 4 months it is planned to increase community policing officers in the downtown area to address these problems. When reviewing the number of citations related to littering, they were found to be small. Discussion with convenience store owners and distributors resulted in their agreement to fund a cleanup crew to work with the Police in these neighborhoods. They have suggested individuals from the NEW Community Shelter at a rate of \$10/15/hr. Chef Smith stated he would like to pursue this idea and others over the summer months.

Ald. Zima asked if this was primarily a homeless issue, and also questioned Chief Smith's idea to increase the Police Department budget and man time instead of getting rid of the problem.

Chief Smith replied that when addressing an issue such as this, he prefers a holistic approach engaging the community without affecting the entire city and allowing those areas with no problems to continue selling single serve beverages.

Ald. Zima was in agreement with the proposed summer study, hoping it may ensure a better quality of life and resolve the problem in the city center area. Chief Smith asked for six months to work on the problem and report back.

When reviewing the map of the downtown area, Ald. Dorff stated it appears there are several bars in the area, asking if arrests were made due to someone leaving a bar with an intoxicant rather than buying single serve. Smith indicated it is difficult to break out this information but an effort could be made by policing officers to ask for this information when writing a citation for an open intoxicant.

Ald. Scannell asked if it would be possible to update the no serve list more often - suggesting after someone receives 3 offenses. Chief Smith explained there are 155 businesses who receive lists, although he was willing to consider this suggestion.

Ald. Galvin noted that when an individual is turned down from the no serve list, he may go miles out of the area to buy liquor elsewhere. He asked how effective this list is. Smith did not have that information but opined that the list helps more than it hurts.

Referring to the map, Ald. Galvin noted a small cluster on Military between West Mason and Shawano Avenue. He stated he would not want to push the problem to different areas. Smith replied there is always an opportunity for displacement. It is usually less than the original problem but still a problem.

Ald. Galvin asked about those business owners who were willing to fund an area cleanup, asking if they would fund other programs for chronic alcoholics, noting they are only treating a symptom with the suggested ban. He stated that funding of treatment may enhance these individuals, and have an effect on children, and mental health. Smith indicated that was not discussed although he was willing to go back and talk with them.

Ald. Zima asked if there is a relationship with having access to single serve with the number of instances in the community or is it coming from somewhere else. Chief Smith opined it is not coming from single sales, but rather because of the issue with chronic inebriants residing in the downtown area.

Chief Smith noted that although the City of Madison has had some success with the elimination of single sales, he would like the opportunity for the Police Department to work on this problem and see if they can make a difference.

Moved by Ald. Zima, seconded by Ald. Dorff to open the floor to allow interested parties to speak. Motion carried.

Billy Jo Horsens, 212 N. Maple Avenue, Green Bay

Thanked the committee and Chief Smith for this discussion and proposed study. She lives in the downtown area and is aware of the problems there with homelessness, addiction, etc. Pictures of litter in her neighborhood were presented to the committee stating she is constantly picking up trash.

Dave Nichols – 3036 Northwood Rd, Suamico

Stated it is refreshing to see the Police Department identify the problem area and not include the entire city.

A resident of 226 N. Maple Avenue, Green Bay

Pointed out there is a lot of trash for residents to pick up in one city block. Noted that those interested in addressing the litter issue may not do it more than once and is concerned the problem will reoccur without ongoing funding. She pointed out it is difficult to enforce the litter issue without the individual being caught in the act. Does not feel this is a viable way to deal with the issue, also noting it is not uncommon to be out in her yard and have some individual ask for money for a beer.

Ben Smith – Owner of Badger Liquor, West Mason

Mr. Smith stated that he has been impressed with the conversation and the willingness of the community to work together on this issue. He has thousands of single units for sale, stating it is a big part of his business. When asked, Mr. Smith stated he would be willing to give toward litter clean up and mental health issues as long as all other similar businesses with the same licensing did also.

Kevin Heraly – Heraly's Beverage

Stated that his business mainly has larger beverage sales. He noted there is a homeless shelter in the area which allows residents to drink and return to the facility after drinking, while another do not. He has turned people away and tries to be a responsible business owner. He pointed out that although businesses may have the no serve list, they do not always look at it until an individual has been brought to their attention.

Moved by Ald. Zima, seconded by Ald. Galvin to close the floor and return to regular order of business. Motion carried.

Moved by Ald. Galvin to give the Police Department six months to institute a proactive enforcement and garbage cleanup program with the idea to ID individuals and try to find where they obtained the alcohol, how many priors they have had, whether they are on the no serve list, and to work with the Brown County Community Treatment Center on referrals for treatment of alcohol issues.

Ald. Scannell questioned whether this motion was appropriate as related to the agenda item which is to consider prohibiting the sale of single cans or bottles of beer and single small bottles of alcohol from convenience stores and liquor stores.

City Attorney's office recommended the item be held for six months.

Moved by Ald. Galvin, seconded by Ald. Dorff to hold for six months with direction to staff to follow up on the request by Ald. Zima that the City consider prohibiting the sale of single cans or bottles of beer and single small bottles of alcohol from convenience stores and liquor stores.

Ald. Zima questioned the use of staff to solve this problem, originally hoping the problem would clean up by itself by eliminating the sale of single serve. He asked Ald. Galvin if his idea was to add a license fee to liquor store owners to go toward treatment. Galvin stated there is a cultural drinking issue in this state. He would like to see more education and treatment regarding interaction with alcohol. A previous study showed him how many holds there are presently and how many repeat offenders there are with long term alcohol and mental health issues. He would like to see a Task Force look at alcohol use and address the problem not the symptom by working with business owners to work out a system that would create revenue to help these individuals. Galvin stated that treating the illness will see improvement city wide.

When asked how many Class A & B licenses are currently in the City, the Attorney's Office replied 150 to 170. When considering all, there could be 400 to 500 licenses. If charging each license holder, approximately \$40,000 could be raised toward treatment in the mental health field. Ald. Zima pointed out this is not a lot, however, if targeted toward a specific area may help to pay for additional police officers which will be added to the budget.

Ald. Galvin stated his idea for additional dollars was to go to professionals for the treatment of individuals to learn life skills and get treatment at a facility, not for hiring of additional police. If successful, he predicts a reduction in police professionals.

Ald. Zima pointed out there are homeless shelters who accept alcoholics, provide services and meals. He opined that this is an operation which enables the alcoholic lifestyle.

Ald. Galvin has known alcoholics who never have their problem solved, stating that the illness needs to be treated. Ald. Zima questioned that this is the way to go.

Legal counsel and Ald. Scannell deemed this conversation not appropriate to the agenda item and called for a vote.

Motion by Ald. Galvin, seconded by Ald. Dorff to hold for six months with direction to staff to follow up on the request by Ald. Zima that the City consider prohibiting the sale of single cans or bottles of beer and single small bottles of alcohol from convenience stores and liquor stores. Motion carried.

*(Agenda item #22 taken next)*

20. Presentation of a draft ordinance prohibiting pedal pubs in Green Bay. The City Attorney's Office referred to a draft ordinance which would prohibit pedal pubs in the City of Green Bay (provided to members in packet material). Ald. Scannell, however, stated that since this item was last discussed, he has been approached by several residents who would be in favor of pedal pubs.

Moved by Ald. Gavin, seconded by Ald. Dorff to open the floor to allow interested parties to speak. Motion carried.

Will Liebergen - 231 N. Broadway, Green Bay

Stated he would like to see the City examine the ordinance from a perspective of investment in tourism. He noted there are 10 pedal pubs in existence in the Twin Cities. As there has not been a high volume of incidents, they have not prohibited or banned them.

Ald. Galvin explained that previous discussion revolved more around alcohol abuse. Mr. Liebergen stated that alcohol is not the focal point, but rather an increase in restaurants, shopping and tourism.

Ald. Scannell noted that safety and traffic were potential issues. Will Liebergen stated that \$2 million in insurance is typical for this type of vehicle. The ordinance will establish rules and monitor issues of alcohol use, insurance, headlights/taillights, and other safety requirements that would be all encompassing.

Will Liebergen also brought up the issue of routes, asking if they will be set or considered on request, indicating he would not want to come to this committee every time a route request was made.

As a member of the committee on bicycle and pedestrian rights, Ald. Dorff asked if that committee might be suggested as the handler of routes. Ald. Scannell indicated there should not be two and is already before this committee.

Mr. Liebergen suggested that the item be tabled to allow time to discuss further with all Council members.

Brian Johnson - Executive Director – On Broadway

Mr. Johnson represents business owners within the district and the creative environment in downtown Green Bay. He sees the suggestion of pedal pubs as related to tourism, pointing out it is important to note that this is a quadracycle. When looking at an active vibrant downtown area, this is an idea that would be an amenity that would draw tourism. He also asked that a decision be tabled until there is more information. He pointed out that Mr. Liebergen came before this committee as a proactive business owner who is interested in a product that will be safe for the community and promote tourism even though there is no State requirement to do so.

Ald. Galvin suggested that the Police Departments in Madison, Milwaukee, and the Twin Cities be contacted by staff to see how they have handled the items that are under question after which time a decision can be made if Green Bay wants to move forward. If so, there can be discussion on routing, etc.

Ald. Zima stated he thought a decision had already been made not to move forward due to alcohol, traffic issues, etc.

Dave Nichols, Suamico

Stated there is a need for variety in the city to attract people. He does not feel it is the role of the Police Department to make this decision, but rather should be

made based on what is good for the City. He noted that beer is sold in parks in Milwaukee (with a percentage going to the city), while in Green Bay a fence is required around any sale of beer. He also noted that Bellevue, Appleton, Ashwaubenon are growing, while Green Bay is not as much.

Garritt Bader - 300 N. Van Buren St.

Noted that if Green Bay turns this down, it will look bad when other communities have pursued the idea of pedal pubs. It is not only about alcohol and traffic issues.

Moved by Ald. Galvin, seconded by Ald. Dorff to close the floor and return to regular order of business. Motion carried.

Ald. Zima asked if the Police Chief has reported on this issue and was told there has been a brief discussion, however, no formal report has been made.

Moved by Ald. Galvin, seconded by Ald. Dorff to hold a decision on the draft ordinance prohibiting pedal pubs in Green Bay with a referral to staff for further information until the next meeting. Motion carried.

*(#19 on the agenda taken next)*

21. Request by Ald. Nicholson to review the reason why there is a Police presence at City Council meetings. (Referred from Council)

Ald. Nicholson indicated that he had previously asked for a review of this item. Police Chief Smith responded, stating that he addressed the issue with former Police Chief Lewis, explaining that at his last place of employment there was security with the use of metal detectors and a "sergeant at arms" at City Council meetings with direct reports to the Mayor. Chief Smith stated that after viewing a video of a shooting at a Council meeting in another city, he suggested the possibility of having a police officer present at Green Bay Council meetings for additional security, noting that at times they are contentious. Research was done to find the most cost effective way to handle the situation and a recommendation was made to the Mayor and Ald. DeWane to have a community policing officer present as part of his duties to pay attention to what is going on while performing administrative duties. An officer was present at the last two Council meetings to serve in the interest of public safety.

Ald. Nicholson asked for committee opinion. Ald. Zima noted that off and on there have been times of contention, although he finds this action excessive as the location of the Police Department is close by. Chief Smith stated he first discussed this action with the Mayor and Ald. DeWane after becoming aware of several situations in different areas of the country.

Ald. Dorff opined this is a good idea, having done a great deal of research and training over the U.S. She feels it is a prudent idea to have an officer in the Council Chambers. Although the Police are only one block away, she noted that many incidents happen within seconds. She would support the idea as a method of deterrence and preventative action.

Ald. Galvin concurred with Ald. Dorff, pointing out that once a weapon is pulled, an incident could happen before Police arrive.

Ald. Zima questioned why a community service officer would not then be present at all city meetings, finding the suggestion extreme. When asked why Chief Smith made this suggestion, he replied that although he came from a larger city, he has seen many times where an individual was removed as they became upset and violent over the content of discussion at a Council meeting. Council members have been known to be held hostage and some shot. He reiterated that the patrolling officer can do paperwork while he is on duty in a building that is not secure with no metal detectors, etc.

Again, Ald. Zima stated he finds the idea farfetched. Chief Smith stated he has discussed the idea with Chief Lewis after watching a video of what has happened in other communities throughout the nation and finds this idea progressive.

Ald. Scannell noted he was not aware of police presence during the last two meetings. He asked that Ald. Nennig comment. Nennig stated that when he started with the City in 1981, it was regular practice to have an officer present at the door of City Council meetings. He found it to serve a purpose and helped to maintain order and protection not only for the alderman but with citizens who may voice strong opinions. In terms of police presence at other committees, Nennig was in agreement that an officer be present if there is a contentious issue to be discussed. In the world as it is today, Nennig stated this would be a minor expense for the protection of Council members and the public who are in attendance at meetings. He has no problem with the idea as recommended by the Chief stating he trusts that judgment.

Ald. Dorff pointed out that the School Board many times has an officer present if there is an issue that is contentious.

Ald. Scannell, although not feeling threatened, stated he would be in support of the presence of an officer, trusting the recommendations of the Mayor and Police Chief in the protection of not only the Council, but the public.

Ald. Scannell explained this item initially came before this Advisory Committee, went to the Council and was pulled by Ald. Nicholson. It was again placed on this agenda. A motion to receive and place on file means the issue was discussed with no action.

Moved by Ald. Galvin, seconded by Ald. Dorff to receive and place on file the request by Ald. Nicholson to review the reason why there is a Police presence at City Council meetings. (Referred from Council). Motion carried.

*(Move to #4 on the agenda) (Ald. Zima excused)*



22. Request by Ald. Scannell for Legal to create an ordinance forming a Public Arts Commission.

Moved by Ald. Scannell and seconded to open the floor to allow interested parties to speak. Motion carried.

Kent Hutchison – 1633 E. Mason St.

Stated he has been an artist for the last 15 years, living in Madison and Milwaukee who have very good PAC's. Since living in Green Bay, he has talked with several Council members and was told the best place to start was with a review of the City ordinances. Mr. Hutchison distributed information he has compiled from other cities who have a PAC.

It was noted that ordinances from Madison and Milwaukee have been reviewed by the City Attorney's Office. In addition, Ald. Scannell stated he was familiar with the facility in Portland.

Moved by Ald. Dorff, seconded by Ald. Galvin to close the floor and return to regular order of business. Motion carried.

Consensus of the Committee was to move forward.

Moved by Ald. Scannell, seconded by Ald. Galvin to refer to staff the Request for Legal to create an ordinance forming a Public Arts Commission.  
Motion carried.

*(Back to #18 on the agenda)*

23. Renewal applications for various liquor/beer licenses for the 2016-2017 license year.

City Attorney's Office recommended approval of the 2016-1027 licenses. Police Department was in agreement.

Moved by Ald. Dorff, seconded by Ald. Galvin to approve the renewal applications for various liquor/beer licenses for the 2016-2017 license year.  
Motion carried.

Motion made by Ald. Dorff, seconded by Ald. Galvin to adjourn at 8:07 p.m.  
Motion carried.

Respectfully submitted by:

Rae G. Knippel  
Transcription

## CLASS "B" BEVERAGE

Juan Curiel  
Taco Burrito  
108 N. Oakland

## CLASS "A" BEVERAGE

Shopko Stores Operating Co., LLC  
Shopko #004  
2430 E. Mason St.

## "CLASS A" LIQUOR & CLASS "A" BEVERAGE

The Traveling Chef, LLC  
The Traveling Chef  
335 ½ N. Broadway

## "CLASS B" COMBINATION

The Automobile Gallery, Inc.  
The Automobile Gallery  
400 S. Adams St.

Lee & Kingsada Corp.  
Little Tokyo Restaurant  
121 N. Broadway

Kavarna, LLC  
Kavarna  
143 N. Broadway

Live Entertainment, LLC  
Phat Headz  
420 N. Clay St.

Strats, Inc.  
Mangiamo  
2850 Humboldt Rd.

Renard and Tisler Enterprises, Inc  
Stop 4-1  
616 Lime Kiln Rd.

KNK Plaza Hotel of Green Bay, LLC  
Hilton Garden Inn Green Bay  
1015 Lombardi Ave.

Bluebird Entertainment, Inc.  
Ten O One Club  
1001 Main St.

The Roundabout, LLC  
The Roundabout  
1264 Main St.

Knutson Ventures, LLC  
KK Billiards  
1583 Main St.

Eat Invest GP, LLC  
Julie's Café  
1685 Main St.

DNS Entertainment, LLC  
Hot Box Bar  
2056 Main St.

TREL, LLC  
East Town Pub  
2264 Main St.

Lori Coopman  
The Slammer  
316 Ninth St.

Big N Rich, LLC  
Big N Rich  
1542 University Ave.

Dora Sandoval  
Las Brisas  
1906 University Ave.